

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Angela DiPilato,

Plaintiff,

-against-

7-Eleven, Inc., Jeanne Lynch, Martina Hagler
and Arthur Rubinett,

Defendants.

07 cv 7636 (CLB)
ECF Case

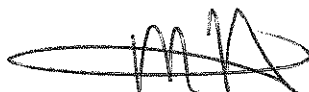
**DECLARATION OF
MARTINA L. HAGLER**

I, Martina L. Hagler, hereby state:

1. I am over 18 years of age and of sound mind. The following declaration is based on my personal knowledge.
2. I am currently employed as a Franchise Sales Manager by 7-Eleven, Inc. in its Northeast Division. 7-Eleven, Inc. is a Texas corporation that owns, operates and franchises food stores under the trademarked name "7-Eleven."
3. Angela DiPilato submitted an application to become a 7-Eleven franchisee, dated February 27, 2007. A true copy of DiPilato's application is attached hereto as Exhibit A.
4. 7-Eleven determined that it was not in the parties' mutual best interest to pursue the possibility of franchising a 7-Eleven store to DiPilato and therefore discontinued the franchising process.
5. I sent a letter to DiPilato on March 26, 2007, notifying her of 7-Eleven's decision, and resent the letter on April 10, 2007.
6. DiPilato did not apply to become an employee of 7-Eleven. 7-Eleven franchisees operate 7-Eleven food stores pursuant to a written independent contractor franchise agreement. 7-Eleven franchisees are not employees of 7-Eleven.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 13, 2007.

A handwritten signature in black ink, consisting of a large, stylized 'M' followed by a series of loops and a final flourish.

Martina L. Hagler